

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|----------------|---|-------------------|
| CHARLES SWIFT, |) | |
| |) | |
| Plaintiff, |) | 8:15CV300 |
| |) | |
| V. |) | |
| |) | |
| WALMART, |) | MEMORANDUM |
| |) | AND ORDER |
| Defendant. |) | |

Plaintiff filed an “Appeal” (Filing No. [10](#)) in this matter challenging my Memorandum and Order (“Order”) dated March 16, 2016 (Filing No. [9](#)), along with a request to pursue the appeal in forma pauperis (Filing No. [11](#).) Because no final, appealable rulings were made in the Order, the court will liberally construe Plaintiff’s “Appeal” (Filing No. [10](#)) as an objection to the Order.

Plaintiff’s objection is overruled. As previously ordered, Plaintiff has until April 18, 2016, to file evidence with the court showing that the amount in controversy in this action exceeds \$75,000. Failure to do so will result in dismissal of the case.

IT IS ORDERED:

1. Plaintiff’s “Appeal” (Filing No. [10](#)) shall be re-identified on the docket as an objection to the Memorandum and Order entered on March 16, 2016. The objection is overruled.
2. Plaintiff’s motion for leave to proceed in forma pauperis before the district court is denied as moot, and to proceed before the Eighth Circuit is denied pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#). (Filing No. [11](#).)

DATED this 28th day of March, 2016.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge